

AFFIDAVIT OF K.K.

STATE OF NEW YORK)
) ss:s.
 COUNTY OF ROCKLAND)

K.K., having been duly sworn, hereby states and deposes:

1. I am one of the plaintiff sin the matter and make this Affidavit to my own personal knowledge and in support of a temporary restraining order and preliminary injunction against the County's exclusion order.

2. I am writing on behalf of my two children, M. (2nd grade, age 8) and G. (kindergarten, age 6) who have been excluded from their school since early December 2018 due to an exclusion order by the Rockland County Department of Health in response to a measles outbreak in the county.

3. My children are excluded, because they are not vaccinated for the measles. We do not vaccinate our children on religious grounds, which can simply be put as follows: we hold that the human body is a vehicle for the spirit and that one of the body's main tasks during childhood is to develop in such a way that it becomes the most effective vehicle for the spirit of the individual, who reaches maturity at age 21.

4. For us, several things follow from this:

a) Our religious belief necessitates that we see illness in a very different way than is traditionally held in the west. It is impossible to divorce body and spirit from our perspective. The body's capacity to meet childhood illnesses (measles, mumps, rubella, pertussis, etc.) and work through them, if this is part of the individual's destiny, is an essential part of this body/spirit development.

b) Introducing "pre-emptive medicine" (vaccines) into the body interferes with the above process on the one hand and places toxins into the body that are not part of its story on the other. In other words, while an illness may introduce short-term (acute) suffering, it is meaningful in the process of the incarnating spirit; toxins from vaccines (chronic) are not.

c) Ultimately, it is not our job to "play God," deciding which suffering our children will be excused from. While our children wear seatbelts and safety helmets as reasonable precautions, neither of these carry the consequences described in the above two points. *We stand firmly against pre-emptive strikes on the body.* We believe in meeting an illness in a calm and healthful way in order that the body may grow stronger than it was prior to the illness, which we have witnessed it does, and thereby become a more suitable vehicle for the spirit.

5. While it could be argued that we could simply put our children in a school that is not currently under an exclusion order, the following must be said. We have chosen Green Meadow Waldorf School on the basis of principle. A Waldorf education is the only education that properly acknowledges the three-fold nature of the human being – that every human is endowed with a body, soul and spirit – and it is the only education that teaches out of this wisdom. Seeing this aspect as absolutely vital to education, we would not place our child in any other kind of school.

6. Since the exclusion order began, therefore, we have had to improvise a great deal in order to meet the needs of our children. This has meant schooling them from home and trying to arrange times when they can be with other children so that they do not feel isolated. In the beginning, we approached this endeavor with optimism, believing that the exclusion order would be temporary. As time dragged on and the conditions surrounding the order continually changed, our optimism gave way to despair.

7. The negative consequences we have had to face as a result of this exclusion order are many. Beginning in February, M's hopeful nature turned into grief. She has had several grief-stricken outbursts as a result of being kept from her teacher, her friends and her school. Integral to Waldorf education is maintaining the same class teacher between first and eighth grade to the extent that this is possible. This level of consistency and closeness between teacher and students means that exclusion from the class is not far from the level of exclusion from one's family.

For G, the meaningful work undertaken with her peers that the kindergarten provides has been denied her for three months now. In a Waldorf kindergarten, play is work, and under the guidance of a skilled teacher, their developmental needs are being deeply met. I do not possess the skill to lead G's activity meaningfully throughout the day, and I believe she has suffered bouts of depression and listlessness as a result of this.

8. In addition to the harm done to my children, there is the cost that I must bear as their parent. To tend to my children's needs throughout the school day, I have had to drastically curtail my working hours, resulting in the loss of \$2500 to date. I have also had to greatly step back from a pastoral internship that I began in the fall of 2018, which has negatively impacted my training.

9. I, along with all others who choose not to vaccinate on religious grounds, understand that this right may at times hit up against the right to life of others; that is, it will come into conflict with public health needs in the event of an outbreak. However, there have been no cases of measles at Green Meadow Waldorf School, and so from the beginning of the exclusion order, we have felt that the overreach was unwarranted.

10. Moreover, as our school community met the requirements to have the order lifted, the requirements continued to change. The overreach of the county now feels more like the persecution of a population that is making a choice on religious grounds. My children are currently under no risk of contracting measles while attending Green Meadow. They are therefore being denied a right to an education based on our family's religious beliefs with no public health justification. The duress that I am suffering as a result of this fact is constant. I do not let my children see it, but it sits as a feeling of sickness in my gut on a continual basis, making it nearly impossible for me to conduct my work in the usual way.

11. Accordingly, I ask on behalf of my children that your Honor lift the exclusion order from our school and let my children and the other children currently suffering their same fate have access to the education to which they have a right.

K. K.
K.K.

Signed and sworn to before me this __day of March 2019.

M-H
NOTARY PUBLIC

MY COMMISSION EXPIRES:

MICHAEL HOWARD SUSSMAN
Notary Public, State of New York
No. 02SU6332584
Qualified in Orange County
Commission Expires Nov. 09, 2019